

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA

Joe Nathan James Jr.  
Plaintiff(s)/Petitioner(s)

vs.

Steve Marshall (official capacity) CIVIL ACTION NO 22-cv-00241-TFM-N  
(To be supplied by Clerk of Court)

Defendant(s)/Respondent(s)

**MOTION TO PROCEED WITHOUT PREPAYMENT OF FEES**

I, Joe Nathan James Jr., a United States citizen, make this Motion to Proceed Without Prepayment of Fees pursuant to Title 28 U.S.C. § 1915 in order to proceed *in forma pauperis* in this action. I am unable to make prepayment of fees or to give security therefor, and it is my belief that I am entitled to redress. I have not divested myself of any property, monies or any items of value for the purpose of avoiding payment of said fees.

I. **BRIEF STATEMENT AS TO THE NATURE OF THE ACTION:** due process and equal protection violation

II. **RESIDENCE:**

Your address: H-25 Halman 3700

|               |           |              |
|---------------|-----------|--------------|
| <u>Atmore</u> | (Street)  |              |
|               | <u>AL</u> |              |
| (City)        | (State)   | <u>36503</u> |
|               |           | (Zip Code)   |

III. **MARITAL STATUS:**

1. Single ☒ Married \_\_\_\_\_ Separated \_\_\_\_\_ Divorced \_\_\_\_\_

2. If married, spouse's full name: N/A

IV. **DEPENDENTS:**

1. Number: N/A

2. Relationship to dependent(s): N/A

3. How much money do you contribute toward your dependents' support on a monthly basis? \$ N/A



by banks, savings and loan associations, prisoner accounts, other financial institutions, or other sources as indicated below:

|   |    |  |
|---|----|--|
| Business, profession or other forms of self-employment -  | \$ |  |
| Rent payments, interest or dividends - - - - -            | \$ |  |
| Pensions, annuities or life insurance payments - - - - -  | \$ |  |
| Gifts or inheritances - - - - -                           | \$ |  |
| Stocks, bonds or notes - - - - -                          | \$ |  |
| Tax refunds, Veteran benefits or social security benefits | \$ |  |
| Any other sources - - - - -                               | \$ |  |

*N/A*

3. Obligations:

|   |    |  |
|---|----|--|
| a. Monthly rental on house or apartment - - - - - | \$ |  |
| b. Monthly mortgage payments on house - - - - -   | \$ |  |

*N/A*

4. Other information pertinent to your financial debts and obligations:

|            |              |                   |
|------------|--------------|-------------------|
| (Creditor) | (Total debt) | (Monthly payment) |
| (Creditor) | (Total debt) | (Monthly payment) |
| (Creditor) | (Total debt) | (Monthly payment) |

*N/A*

5. If you have indicated that you have minimal or no assets or income, please explain how you provide for your basic living needs such as food, clothing and shelter. (e.g. food stamps, family assistance or charitable contributions.)

*provided by the state*

Other (Explain):

*N/A*

**VII. ALL PLAINTIFFS/PETITIONERS MUST READ AND SIGN:**

I UNDERSTAND that any false statement(s) of a material fact contained herein may serve as the basis of prosecution and conviction for perjury or making false statements. FURTHER, I CERTIFY that all questions contained herein have been answered and are true and correct to the best of my knowledge and belief.

6/20/22  
DATE

Joe N. James #Z-610  
SIGNATURE OF PLAINTIFF/PETITIONER

K-25 Holman 3700  
ADDRESS

Atmore, AL 36503

**VIII. FOR PRISONER PLAINTIFFS/PETITIONERS ONLY:**

A financial statement containing all transactions in your prisoner account for the six (6) months immediately preceding the filing of the Complaint must accompany this Motion. The financial statement must be in the form of a computer printout or bank ledger card prepared by the institution; a notarized financial statement that you prepare; or a financial statement prepared by an authorized officer of the institution. Failure to provide this financial statement information may result in the dismissal of this action.

The requirement to submit the financial statement addressed above does not negate your responsibility to ensure that the Certificate found below is also properly executed and filed.

I hereby authorize the agency having custody of me to collect from my prison account and forward to the Clerk of the United States District Court payments in accordance with 28 U.S.C. § 1915(b)(2). I understand that even if I am allowed to proceed *in forma pauperis* or pay a partial filing fee and even if my case is later dismissed for any reason, I am obligated to pay to the Clerk of the Court the full amount of the filing fee \$350.00 if your IFP application is granted, or \$402.00 if your IFP application is denied for a civil action, \$5.00 for a habeas corpus petition, or \$505.00 for an appeal.

6/20/22  
DATE

Ja H. James # 2-616  
SIGNATURE OF PLAINTIFF/PETITIONER

**CERTIFICATE**

(To be completed by the institution of incarceration)

I certify that the applicant named herein has the sum of \$ 0.17 on account to his/her credit at W.C. Holman (name of institution). I further certify that during the past six months the applicant's average monthly balance was \$ 3.17. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ 0. (Please attach a certified copy of the applicant's account statement showing transactions for the past six months.)

6/14/22  
DATE

Danica Daily  
SIGNATURE OF AUTHORIZED OFFICER

## Alabama Department of Corrections

ITF001

Average Inmate Deposit Balances for JAMES, JOE NATHAN JR AIS# 0000Z610

|            | Average<br>Balance | Gross<br>Deposits |
|------------|--------------------|-------------------|
| 05/31/2022 | \$0.17             | \$0.00            |
| 04/30/2022 | \$0.89             | \$0.00            |
| 03/31/2022 | \$11.95            | \$50.00           |
| 02/28/2022 | \$6.83             | \$22.00           |
| 01/31/2022 | \$0.82             | \$0.00            |
| 12/31/2021 | \$10.38            | \$42.00           |
| 11/30/2021 | \$0.00             | \$0.00            |
| 10/31/2021 | \$17.82            | \$0.00            |
| 09/30/2021 | \$24.92            | \$130.00          |
| 08/31/2021 | \$17.74            | \$75.00           |
| 07/31/2021 | \$0.20             | \$0.00            |
| 06/30/2021 | \$0.20             | \$0.00            |
|            | \$7.66             | \$319.00          |

I hereby certify the above is true and accurate  
 6/14/2022  
 Janice Robinson  
 Internal Auditor

JOE N. JAMES # Z-610  
K-25

Halmon 3700  
Atmore, AL 36503



This correspondence is forwarded from an Alabama  
State Prison. The contents have not been evaluated,  
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United States District Court  
Southern District of Alabama  
Clerk  
155 St. Joseph Street  
Mobile, Alabama 36602

Legal Mail